

**EASTER MOUNTAIN, LLC**  
125 E. Sir Francis Drake Blvd., Suite 400  
Larkspur, CA 94939  
415.526.2200/415.526.2214 fax

FEB 29 2008

FCC Mail Room

February 28, 2008  
**Via Overnight Delivery**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capitol Heights, MD 20743

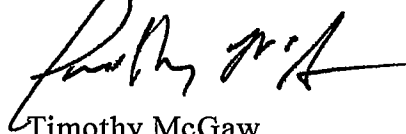
Re: 2008 CPNI Certification  
EB Docket No. 06-36

Dear Ms. Dortch:

I have enclosed for filing with your office an original and four (4) copies of the annual CPNI certification and compliance procedures for Easter Mountain, LLC.

Please contact me should you have any questions.

Sincerely,



Timothy McGaw  
Manager

Enclosures

cc: FCC Enforcement Bureau, Telecommunications Consumers Division  
Best Copy and Printing, Inc.

No. of Copies rec'd 0+4  
List ABCDE

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Received & Inspected

FEB 29 2008

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Annual 64.2009(e) CPNI Certification for 2008

Date filed: February 28, 2008

Name of company covered by this certification: Easter Mountain, LLC

Form 499 Filer ID: N/A

Name of signatory: Timothy McGaw

Title of signatory: Manager

I, Timothy McGaw, certify that I am Manager<sup>1</sup> of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See* 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions against data brokers in the past year. The company does not have any information with respect to the processes pretexters are using to attempt to access CPNI. The steps the company is taking to protect CPNI are described in the accompanying statement.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

Signed



<sup>1</sup> While Section 64.2009(e) of the Commission's rules requires an officer to make this certification, the company is a limited liability company, and therefore has no officers. Timothy McGaw, in his capacity as Manager of the LLC, serves a similar role as that of an officer.

**PROCEDURES FOR ENSURING COMPLIANCE WITH  
47 C.F.R. § 64.2001 *et seq.***

Easter Mountain, LLC ("Easter Mountain") has established the following procedures for ensuring compliance with 47 C.F.R. § 64.2001 *et seq.* concerning use of customer proprietary network information ("CPNI").<sup>2</sup> All Easter Mountain representatives must adhere to those procedures before using, disclosing, or providing access to any Easter Mountain customer's CPNI.

1. It is currently Easter Mountain's policy not to use CPNI, or to disclose or permit access to CPNI by any affiliate or third party, except as expressly authorized under 47 C.F.R. § 64.2005 or by the customer to whom the CPNI relates.

2. Except as expressly authorized under 47 C.F.R. § 64.2005 or by the customer to whom the CPNI relates, it is currently Easter Mountain's policy not to engage in any sales or marketing campaigns that involve a third party's use of or access to customer CPNI. Thus, Easter Mountain has never had to obtain customer approval or provide notice prior to using or disclosing CPNI, maintain records of sales and marketing campaigns using CPNI and records of instances where CPNI was disclosed, or implement an opt-in or opt-out system of obtaining customer consent to use or disclose CPNI. If Easter Mountain engages in any sales or marketing campaigns involving CPNI in the future, it will:

- Obtain requisite approval and maintain records of approval. *See* 47 C.F.R. § 64.2007.
- Notify the customer of the customer's right to restrict use or disclosure of or access to CPNI prior to making any solicitation for customer approval, and maintain records of such notifications, as described in 47 C.F.R. § 64.2008.
- Maintain and retain, for at least one year, a record of its and any Easter Mountain affiliate's sales and marketing campaigns that use Easter Mountain's customers' CPNI, and a record of all instances where CPNI was disclosed or provided to third parties, or where third parties were allowed to access CPNI. *See* 47 C.F.R. § 64.2009(c).
- Establish a supervisory review process regarding Easter Mountain's compliance with the CPNI Rules for outbound marketing situations, and maintain compliance records for at least one year. *See* 47 C.F.R. § 64.2009(d).

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<sup>2</sup> Easterbrooke Cellular Corporation formed Easter Mountain, LLC for the purpose of acquiring all of the assets and specified liabilities of Easterbrooke and to facilitate the transfer of such assets and liabilities to AT&T Mobility II, LLC. The asset purchase transaction took effect on January 2, 2008, whereby AT&T Mobility II, LLC purchased and acquired all of Easterbrooke's right, title, and interest in Easter Mountain LLC.

- Provide written notice to the FCC within 5 business days of any instance where Easter Mountain's opt-out mechanisms do not work properly so that a consumers' inability to opt-out is more than an anomaly. *See* 47 C.F.R. § 64.2009(f).

3. Before furnishing any CPNI to a party who requests it in person, the Easter Mountain representative who receives the request must validate that the person requesting the information is a customer by requesting a valid photo ID that matches the customer's account information. 47 C.F.R. § 64.2010(d).

4. When a person claiming over the telephone to be an Easter Mountain customer calls in to obtain CPNI, the Easter Mountain representative who receives the request must verify the identity of that person before providing any information with respect to that customer account. If the request relates to call detail CPNI, then the Easter Mountain representative must request an account password, call the telephone number of record associated with the customer account to which the request relates, or mail the CPNI to the customer's address of record. If the request relates to non-call detail CPNI, then the Easter Mountain representative must authenticate the customer. *See* 47 C.F.R. § 64.2010(b).

5. In mailing customer bills, Easter Mountain will address those bills only to the customer of record identified on the customer account, and not to any third party. If a customer requires an additional copy of one or more bills, then the Easter Mountain representative must verify the identity of the customer making the request using the methods described above.

6. Easter Mountain will immediately notify a customer whenever a password, customer response to a back-up means of authentication for passwords or address of record is created or changed, as required by 47 C.F.R. § 64.2010(f). Such notification will be made by a voicemail or text message transmitted to the telephone number of record or by mail to the customer's address of record.

7. Easter Mountain will notify law enforcement and affected customers of a breach of a customer's CPNI as provided in 47 C.F.R. § 64.2011, and will maintain a record of any breaches discovered or notifications made pursuant to that section.

8. All new Easter Mountain representatives must be trained, and all representatives will receive periodic refresher training, as to when they are and are not authorized to use CPNI. *See* 47 C.F.R. § 64.2009(b). Easter Mountain maintains written confirmation that each representative has received such training, and has established a disciplinary process for any unauthorized use of CPNI, as required by 47 C.F.R. § 64.2009(b).